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RICHARD A. MARSHACK

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re

THE LITIGATION PRACTICE GROUP P.C.,

Debtor.

Case No. 8:23-bk-10571-SC
Chapter 11

NOTICE OF APPLICATION BY
CHAPTER 11 TRUSTEE TO EMPLOY
OMNI AGENT SOLUTIONS AS CLAIMS
AND NOTICING AGENT

[NO HEARING REQUIRED]

PLEASE TAKE NOTICE that Richard A. Marshack, in his capacity as Chapter 11 Trustee (“Trustee”) for the bankruptcy estate (“Estate”) of The Litigation Practice Group P.C. (“Debtor”), has filed an application (“Application”), for entry of an order, authorizing Trustee to retain and employ Omni Agent Solutions (“Omni”) as the claims and noticing agent (“Claims and Noticing Agent”) for Trustee, effective as of November 10, 2023 (“Effective Date”).

Debtor was a law firm that provided consumer debt resolution services servicing more than 50,000 customers across the United States.

To date, there have been over 2,000 proofs of claim filed and there is not yet a claims bar deadline. Trustee believes employment of a claims and noticing agent is thus in the best interests of the estate and will reduce administrative costs. Given the size of the Debtor’s creditor body, it would be impracticable and inefficient for Trustee, the Committee, and the Court to undertake the task of sending notices to the creditors and other parties in interest.

Pursuant to the Proposal, attached as **Exhibit 1** to the Application, Trustee proposes that Omni provide certain bankruptcy professional services that may be outside the scope of 28 U.S.C. § 156(c) (“Administrative Services”), potentially including, without limitation, the following:

1. Prepare and/or serve required notices in this Bankruptcy Case, including
 - a. A notice of claims bar date;
 - b. Notices of objections to claims;
 - c. Notices of transfer of claims;
 - d. Notices of any hearings on a disclosure statement and confirmation of a chapter 11 plan;
 - e. Notice of the effective date of any chapter 11 plan; and
 - f. Such other miscellaneous Notices as Trustee, the Committee or the Court may deem necessary or appropriate for an orderly administration of this Bankruptcy Case.
2. Maintain an official copy of the Debtor's list of creditors, listing the Debtor's known creditors and the amounts owed thereto;
3. Maintain (a) a list of potential creditors and other parties-in-interest and (b) a "core" mailing list consisting of all parties described in Bankruptcy Rule 2002 and those parties that have filed a notice of appearance under Bankruptcy Rule 9010 (the "Master Mailing Matrix"); update said lists and make said lists available upon request by a party-in-interest or the Clerk;
4. Within five business days after the service of a particular notice, file with the Clerk's Office a declaration of service that includes (i) an alphabetical list of persons on whom Omni served the notice, along with their addresses (subject to any orders concerning the confidentiality of certain patient information), and (ii) the date and manner of service;
5. Maintain a post office box or address for the purpose of receiving claims and returned mail, and process all mail received;
6. Process all proofs of claim received, including those received by the Clerk's office, check said processing for accuracy, and maintain the original proofs of claim in a secure area;
7. Maintain copies of all proofs of claim filed in this case at a location other than where the originals are maintained;
8. Maintain an official claims register for each debtor ("Claims Register") in this case by docketing all proofs of claim and proofs of interest in a claims database that includes the following information for each such claim or interest asserted:
 - a. The name and address of the claimant or interest holder and any agent thereof, if the proof of claim or proof of interest was filed by an agent, and the entity against which such claim was filed;
 - b. The date that the proof of claim or proof of interest was received by Omni and/or the Court;
 - c. The claim number assigned to the proof of claim or proof of interest; and
 - d. The asserted amount and classification of the claim.
9. Implement necessary security measures to ensure the completeness and integrity of the claims register as approved by the Clerk of the Court;
10. Periodically audit the claims information to assure the Clerk's Office that the claims information is being appropriately and accurately recorded in the official claims register;
11. Allow the Clerk's Office to independently audit the claims information during regular business hours;
12. Furnish a notice to all potential creditors of the last date for the filing of proofs of claim and a form for the filing of a proof of claim, after such notice and form are approved by the Court, and notify said potential creditors of the existence, amount, and classification of their respective claims as set forth in the list of creditors, which may be effected by inclusion of such information (or the lack thereof, in cases where the list of creditors indicate no debt due to the subject party) on a customized proof of claim form provided to potential creditors;
13. Transmit to the Clerk's Office a copy of the claims register on a weekly basis or at such other times as the Clerk's Office may direct;
14. Relocate, by messenger or overnight delivery, all of the court-filed proofs of claim to the offices of Omni, not less than weekly;
15. Maintain an up-to-date mailing list for all entities that have filed proofs of claim or proofs of interest and make such list available upon request to the Clerk's Office or any party in interest;

- 1 16. Provide the public and the Clerk's Office access to copies of the proofs of claim or
2 proofs of interest filed in this chapter 11 case without charge on a case-specific website maintained
3 by Omni;
- 4 17. Allow the Clerk's Office to inspect Omni's premises at any time during regular
5 business hours;
- 6 18. Record all transfers of claims pursuant to Bankruptcy Rule 3001(e) and provide
7 notice of such transfers as required by Bankruptcy Rule 3001(e);
- 8 19. Assist in the dissemination of information to the public and respond to requests for
9 administrative information regarding this Bankruptcy Case, as directed by Trustee, the Committee or
10 the Court, including through the use of a case website, voicemail system, and/or call center;
- 11 20. If the case is dismissed, contact the Clerk's Office within three (3) days of the notice
12 to Omni of entry of the order dismissing the case;
- 13 21. Within seven (7) days of notice to Omni of the entry of an order closing this
14 Bankruptcy Case, provide to the Court the final version of the Claims Registers as of the date
15 immediately before the close of the case;
- 16 22. At the close of this Bankruptcy Case, box and transport all original documents, in
17 proper format, as provided by the Clerk's office, to any location requested by the Clerk's office;
- 18 23. Comply with applicable federal, state, municipal and local statutes, ordinances, rules,
19 regulations, orders and other requirements;
- 20 24. Promptly comply with such further conditions and requirements as the Clerk's Office
21 or the Court may at any time prescribe; and
- 22 25. Provide such other claims processing, noticing, and related administrative services as
23 may be requested from time to time by Trustee, which may include the creation of centralize website
24 for creditors.
- 25 26. In addition to the foregoing, in accordance with the Proposal and to the extent requested
26 by Trustee, Omni shall assist Trustee with, among other things: (a) data collection and processing
27 required for, among other things the reconciliation and resolution of claims; (b) the development and
28 maintenance of the Debtor's Master Mailing Matrix, and (c) the preparation, mailing and tabulation of
ballots for the purpose of voting to accept or reject a chapter 11 plan.

16 Notwithstanding the relief requested herein and the services proposed to be provided by Omni,
17 except for Trustee, any party submitting a particular pleading or other document with the Court shall
18 be responsible for all noticing and service functions relevant to the particular matters as may be
19 required under applicable rules and shall file with the Clerk's Office a declaration of service regarding
20 such noticing and service. In addition, except for Trustee's attorneys, the attorney submitting a
21 proposed order or judgment shall serve copies upon all parties entitled to receive notice of entry of the
22 order or judgment as soon as practicable and shall be responsible for photocopying the conformed
23 copies in order to relieve the Clerk's Office of the large burden of photocopying these orders.
24 Notwithstanding the foregoing, Omni may, with Trustee's consent, provide services to any official
25 committee, such as mailing or web site creation/maintenance.

26 To summarize, Trustee proposes that Omni provide certain bankruptcy professional services
27 that fall into the following general categories:
28

- (a) assisting with, among other things, solicitation, balloting, tabulation, and calculation of votes, if necessary, as well as preparing any appropriate reports, as required in furtherance of confirmation of any chapter 11 plan;
- (b) generating an official ballot certification and testifying, if necessary, in support of the ballot tabulation results for any chapter 11 plan(s) in these cases;
- (c) managing any distributions pursuant to any confirmed chapter 11 plan in these chapter 11 cases; and
- (d) providing such other claims processing, noticing, solicitation, balloting, and administrative services described in the Proposal, but not included in this Application, as may be requested from time to time by Trustee, the Court, or the Office of the Clerk of the Court.

In connection with providing the Administrative Services, Omni will seek reimbursement from the Estate for reasonable expenses in accordance with the terms of the Proposal at the rates set forth below. Importantly, Trustee has negotiated a 10% discount on the standard hourly rates.

The complete scope and terms of the employment are detailed in the Application a copy of which can be obtained by contacting D. Edward Hays and Laila Masud whose contact information is listed in the top left-hand corner of this Notice. Again, the Application is based on 11 U.S.C § 327(a) and (c) and Omni intends to seek compensation pursuant to 11 U.S.C. §§ 328, 330 and 331.

PLEASE TAKE FURTHER NOTICE that any response and request for hearing as to the proposed employment must be in the form as required by Local Bankruptcy Rules (“LBR”) 2014-1(b), 9013-1(f) and (o) and filed with the Clerk of the above-entitled Court no later than fourteen days (14) from the date of service of this Notice, plus an additional three days unless this Notice was served by personal delivery or posting as described in F.R.Civ.P. 5(b)(2)(A)-(B). A copy of any response must be served on D. Edward Hays and Laila Masud at the address indicated above and must also be served on the Office of the United States Trustee, 411 West Fourth Street, Suite 7160, Santa Ana, CA 92701. Failure to timely respond may be deemed as acceptance of the proposed employment. *See*, LBR 9013-1(h).

DATED: November 22, 2023

MARSHACK HAYS LLP

By: /s/ Laila Masud

D. EDWARD HAYS
LAILA MASUD
Attorneys for Chapter 11 Trustee,
RICHARD A. MARSHACK

Hourly Rates for Standard and Custom Services*	RATE / COST	Informational Website	RATE / COST
Analyst	\$40.00 - \$75.00 per hour	Creation, Configuration and Initial Setup	No charge
Consultants	\$75.00 - \$195.00 per hour	Data Entry / Information Updates	Standard hourly rates apply
Senior Consultants	\$200.00 - \$240.00 per hour	Programming and Customization	\$85 - \$155 per hour
Solicitation and Securities Consultant	\$200-225.00 per hour	Debtor Website Hosting	No charge
Director of Solicitation and Securities	\$250.00 per hour	Committee Website Hosting	No charge
Treasury Services	Quoted upon request	Shareholder Website Hosting	No charge
Technology/Programming	\$85.00 - \$155.00 per hour	Scanning	\$0.10 per image
Claims Management	RATE / COST	Public Debt and Equities Securities and/Rights Offerings Services	RATE / COST
Inputting Proofs of Claim	Hourly rates (No per claim charges)	Noticing Services	Standard hourly rates apply
Scanning	\$.10 per image	Solicitation, Balloting and Tabulation	Standard hourly rates apply
Remote Internet access for claims management		Rights Offerings	Standard hourly rates apply
Setup	No charge	Security Position Identification Reports	Standard hourly rates apply
Access	No charge		
Schedules / SoFA	RATE / COST	Liquidating / Disbursing Agent	RATE / COST
Preparation and updating of schedules and SoFAs	\$65.00 - \$240.00 per hour	Comply with Plan requirements, preparation of disbursement reports, payout calculations, check generation, bank reconciliations	Standard hourly rates apply
Solicitation and Tabulation	RATE / COST	Electronic Services, Storage & Security	RATE / COST
Plan and disclosure statement mailings	Quoted prior to printing	License Fee and System Maintenance	.10 per Record
Ballot tabulation	Standard hourly rates apply	Per image storage	No charge
		Monthly Encryption Bandwidth and Security Compliance Charges**	.10 per MB
		Automated Services	.10 per process
Printing and Noticing Services	RATE / COST	Newspaper and Legal Notice Publishing	RATE / COST
Copy	\$.10 per image	Coordinate and publish legal notice	Quote prior to publishing
Document folding and insertion	No charge		
Labels/Envelope printing	\$.035 each		
MSL E-mail noticing	No charge		
High Volume or Certified E-mail Noticing	TBD per volume		
Facsimile Noticing	\$.10 per image		
Postage	At cost (Advance payment required for postage charges over \$10,000)		
Envelopes	Varies by size		
Call Centers / Dedicated Line	RATE / COST	Miscellaneous	RATE / COST
Creation, configuration and initial setup	No charge	Telephone charges	At cost
Hosting fee	\$20.00 per Month	Delivery	At cost
Usage	\$.0825 per Minute	Archival DVD/CD-Rom	\$40.00 per copy
Call center personnel	Standard Hourly Rates		

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **NOTICE OF APPLICATION BY CHAPTER 11 TRUSTEE TO EMPLOY OMNI AGENT SOLUTIONS AS CLAIMS AND NOTICING AGENT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **November 23, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **November 28, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST
SUITE 100
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on , I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 28, 2023
Date

Pamela Kraus
Printed Name

/s/ Pamela Kraus
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:

- **Eric Bensamochan** eric@eblawfirm.us, G63723@notify.cincompass.com
- **Peter W Bowie** peter.bowie@dinsmore.com, caron.burke@dinsmore.com
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954@notify.bestcase.com
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rmarshack@iq7technology.com;ecf.alert+Marshack@titledexi.com
- **Laila Masud** lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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- **Andrew Still** astill@swlaw.com, kcollins@swlaw.com
- **Michael R Totaro** Ocbkatty@aol.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Sharon Z. Weiss** sharon.weiss@bclplaw.com, raul.morales@bclplaw.com, REC_KM_ECF_SMO@bclplaw.com
- **Johnny White** JWhite@wrslawyers.com, jlee@wrslawyers.com

2. SERVED BY UNITED STATES MAIL: continued:

20 LARGEST CREDITOR

ANTHEM BLUE CROSS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
PO BOX 511300
LOS ANGELES, CA 90051-7855

20 LARGEST CREDITOR

AZEVEDO SOLUTIONS GROUPS, INC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
420 ADOBE CANYON RD
KENWOOD, CA 95452-9048

20 LARGEST CREDITOR

BUSINESS CENTERS OF AMERICA
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1100 SIR FRANCIS DRAKE BLVD,
SUITE 1
KENTFIELD, CA 94904-1476

20 LARGEST CREDITOR

CALIFORNIA FRANCHISE TAX
BOARD
PO BOX 942857
SACRAMENTO, CA 94257-0001

RTD 05/30/23 UTF**20 LARGEST CREDITOR**

COLLABORATION ADVISORS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
400 DORLA COURT
ZEPHYR COVE, NV 89448

20 LARGEST CREDITOR

CREDIT REPORTING SERVICE INC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
548 MARKET ST, SUITE 72907
SAN FRANCISCO, CA 94104-5401

20 LARGEST CREDITOR

DEBT PAY PRO
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1900 E GOLF ROAD, SUITE 550
SCHAUMBURG, IL 60173-5870

20 LARGEST CREDITOR

DEBT VALIDATION FUND II, LLC
C/O GARRICK A HOLLANDER
WINTHROP GOLUBOW HOLLANDER
LLP
1301 DOVE STREET, 5TH FLOOR
NEWPORT BEACH, CA 92660

20 LARGEST CREDITOR

DEBT VALIDATION FUND II, LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
5075 LOWER VALLEY ROAD
ATGLEN, PA 19310-1774

20 LARGEST CREDITOR

DOCUMENT FULFILLMENT
SERVICES
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
2930 RAMONA AVE #100
SACRAMENTO, CA 95826-3838

20 LARGEST CREDITOR

EXECUTIVE CENTER LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
5960 SOUTH JONES BLVD
LAS VEGAS, NV 89118-2610

**20 LARGEST CREDITOR / POC
ADDRESS**

EXELA ENTERPRISE SOLUTIONS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
2701 E. GRAUWYLER ROAD
IRVING, TX 75061-3414

**20 LARGEST CREDITOR / POC
ADDRESS**

FIRST LEGAL NETWORK, LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
PO BOX 743451
LOS ANGELES, CA 90074-3451

20 LARGEST CREDITOR

JP MORGAN CHASE
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
3 PARK PLAZA, STE 900
IRVINE, CA 92614-5208

20 LARGEST CREDITOR

LEXISNEXUS
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
15500 B ROCKFIELD BLVD
IRVINE, CA 92618-2722

RTD 10/03/23 UTF**20 LARGEST CREDITOR**

MARICH BEIN LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
99 WALL STREET, STE 2669
NEW YORK, NY 10005-4301

20 LARGEST CREDITOR

MC DVI FUND 1, LLC; MC DVI FUND 2,
LLC
C/O GARRICK A HOLLANDER
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
SERVICE OF PROCESS
1598 COTTONWOOD DR
GLENVIEW, IL 60026-7769

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NETSUITE-ORACLE
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
2300 ORACLE WAY
AUSTIN, TX 78741-1400

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ADDRESS**

OUTSOURCE ACCELERATOR LTD
C/O PAUL R. SHANKMAN, ESQ
FORTIS LLP
650 TOWN CENTER DRIVE, SUITE
1530
COSTA MESA, CA 92626

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TUSTIN EXECUTIVE CENTER
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1630 S SUNKIST STEET, STE A
ANAHEIM, CA 92806-5816

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GENERAL AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
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8670 ARGENT ST
SANTEE, CA 92071-4172

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VALIDATION PARTNERS LLC
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AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE
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1300 SAWGRASS PKWY, STE 110
SUNRISE, FL 33323

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TASKUS HOLDINGS, INC.
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1650 INDEPENDENCE DR
NEW BRAUNFELS, TX 78132-3959

4876-2558-8626